

May 14, 1975

Now on the second portion of the amendment, Senator Koch, do you have any further discussion on that?

SENATOR KOCH: Mr. President, members of the body, I will withdraw that amendment and come back with another amendment on Select File so that both the defendant and the plaintiff could be awarded costs if one or the other prevails.

PRESIDENT: The second half of the amendment is withdrawn. Are there further amendments on the desk?

CLERK: No further amendments, Mr. President. Only the committee amendment.

PRESIDENT: Here comes one maybe. Senator Syas has an amendment? Clerk will read.

CLERK: On page 3, strike section 3, lines 1 inclusive to 4. Signed Senator Syas.

PRESIDENT: Senator Syas.

SENATOR SYAS: It's roughly drawn but there I see in order to go into executive session you have to have a 2/3 vote and there again we come to this lack of one man one vote deal. I don't mind some restrictions but assuming that you had a nine member board and you had a quorum there with say 5, by a unanimous vote of the 5, you couldn't go into executive session because you couldn't get a 2/3 vote. Impossible. So all anyone would have to do on any public board was to stay away. He could tie up the whole government. I think it should be a simple majority of the elected membership. That's the way I would really amend it.

PRESIDENT: All right, Senator Syas I took this amendment out of order. It seems it is not to the committee amendment but so we must adopt them before we can continue on yours and so I'll ask now if there is any further discussion on the committee amendments? If not, we shall vote to adopt. All those in favor vote aye. All those opposed vote...Senator Chambers.

SENATOR CHAMBERS: Because now, Mr. Chairman, Senator Koch's amendment is a part....Did he amend the bill or the committee amendments?

PRESIDENT: He amended the committee amendments.

SENATOR CHAMBERS: Okay, so I can discuss the entire thing now. The committee amendments and his too.

PRESIDENT: You can speak on his with the committee amendments because it is a portion of it.

SENATOR CHAMBERS: Members of the Legislature, I feel